



PATENT
Customer No. 22,852
Attorney Docket No. 09367.0018-06000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|-------------------------------|---|------------------------------|
| In re Patent Application of |) | |
| Jeffrey T. FINER et al. |) | Examiner: Tamthom Ngo TRUONG |
| Application No. 09/724,778 |) | Group Art Unit: 1624 |
| Filed: November 28, 2000 |) | Confirmation No. 9331 |
| For: METHODS AND COMPOSITIONS |) | |
| UTILIZING QUINAZOLINONES |) | |

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop RCE

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached IDS Form PTO 1449. This Information Disclosure Statement is being filed with a Request for Continued Examination submitted herewith.

Copies of the listed foreign and non-patent literature documents are attached. Copies of the U.S. patent publications are not enclosed. Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim

in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the claimed invention over the listed documents should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

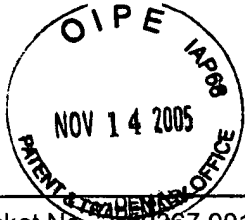
Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: _____



Lauren L. Stevens
Reg. No. 36,691



INFORMATION DISCLOSURE CITATION

| | | | |
|------------------|-------------------------|------------|------------|
| Atty. Docket No. | 09367.0018-06000 | Appln. No. | 09/724,778 |
| Applicants | Jeffrey T. FINER et al. | | |
| Filing Date | November 28, 2000 | Group: | 1624 |

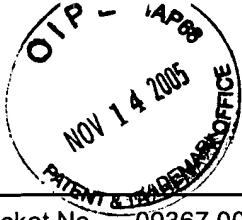
U.S. PATENT DOCUMENTS

| Examiner Initial* | | Document Number | Issue Date | Name | Class | Sub Class | Filing Date If Appropriate |
|-------------------|--|-----------------|------------|-------------------------|-------|-----------|----------------------------|
| | | 2004/0242596 A1 | 12/02/04 | Kim et al. | | | |
| | | 2004/0259826 A1 | 12/23/04 | Fraley et al. | | | |
| | | 2005/0152940 A1 | 07/14/05 | Hezi-Yamit et al. | | | |
| | | 2005/0209254 A1 | 09/22/05 | Wang et al. | | | |
| | | 2005/0059823 A1 | 03/17/05 | McNaughton-Smith et al. | | | |
| | | 2004/0198724 A1 | 10/07/04 | McNaughton-Smith et al. | | | |
| | | 2003/0119854 A1 | 06/26/03 | Schall et al. | | | |
| | | 6,214,879 B1 | 04/10/01 | Abraham et al. | | | |
| | | 6,518,277 B1 | 02/11/03 | Sadhu et al. | | | |
| | | 6,596,723 B1 | 07/22/03 | Watkins et al. | | | |

FOREIGN PATENT DOCUMENTS

| Examiner Initial* | | Document Number | Publication Date | Country | Class | Sub Class | Translation Yes or No |
|-------------------|--|-------------------|------------------|---------|-------|-----------|-----------------------|
| 1. | | WO 01/30768 A1 | 05/03/01 | WIPO | | | |
| 2. | | WO 01/32171 A1 | 05/10/01 | WIPO | | | |
| 3. | | WO 03/097053 A1 | 11/27/03 | WIPO | | | |
| 4. | | WO 03/103575 A2 | 12/18/03 | WIPO | | | |
| 5. | | WO 02/09713 A2/A3 | 02/07/02 | WIPO | | | |
| 6. | | WO 03/035077 A1 | 05/01/03 | WIPO | | | |
| 7. | | WO 03/035076 A1 | 05/01/03 | WIPO | | | |
| 8. | | WO 99/20298 A1 | 04/29/99 | WIPO | | | |
| 9. | | WO 93/20055 A1 | 10/14/93 | WIPO | | | |
| 10. | | WO 96/28430 A1 | 09/19/96 | WIPO | | | |

| | |
|---|---|
| Examiner | Date Considered |
| *Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |
| Form PTO 1449 | Patent and Trademark Office - U.S. Department of Commerce |



INFORMATION DISCLOSURE CITATION

| | | | |
|------------------|-------------------------|------------|------------|
| Atty. Docket No. | 09367.0018-06000 | Appln. No. | 09/724,778 |
| Applicants | Jeffrey T. FINER et al. | | |
| Filing Date | November 28, 2000 | Group: | 1624 |

FOREIGN PATENT DOCUMENTS

| Examiner Initial* | Document Number | Publication Date | Country | Class | Sub Class | Translation Yes or No |
|-------------------|-----------------|------------------|---------|-------|-----------|--|
| 11. | WO 95/19169 A2 | 07/20/95 | WIPO | | | |
| 12. | EP 0 509 643 A1 | 10/21/92 | Europe | | | |
| 13. | JP 10/259176 | 09/29/98 | Japan | | | ¶s 1-2, 5-6, 380-382, and all table headings |
| 14. | WO 93/19051 A1 | 09/30/93 | WIPO | | | |
| 15. | WO 03/020279 A2 | 03/13/03 | WIPO | | | |
| 16. | WO 03/020280 A2 | 03/13/03 | WIPO | | | |
| 17. | WO 02/30462 A2 | 04/18/02 | WIPO | | | |
| 18. | WO 03/043961 A2 | 05/30/03 | WIPO | | | |
| 19. | WO 03/084544 A2 | 10/16/03 | WIPO | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages etc.)

| Examiner Initial* | |
|-------------------|---|
| 20. | Written Opinion mailed September 24, 2004, for PCT Application No. PCT/US02/41309, filed December 20, 2002. |
| 21. | International Search Report mailed October 12, 2004, for PCT Application No. PCT/US03/30788, filed September 30, 2003. |
| 22. | International Preliminary Examination Report mailed January 28, 2005, for PCT Application No. PCT/US03/30788, filed September 30, 2003. |
| 23. | Office Action mailed April 27, 2005, for U.S. Application No. 10/429,195, filed May 2, 2003. |
| 24. | International Preliminary Examination Report mailed May 9, 2005, for PCT Application No. PCT/US03/13627, filed May 2, 2003. |
| 25. | International Search Report and Written Opinion mailed April 28, 2005, for PCT Application No. PCT/US04/36253, filed November 2, 2004. |
| 26. | International Search Report and Written Opinion mailed June 14, 2005, for PCT Application No. PCT/US04/36853, filed November 5, 2004. |

| | |
|---|-----------------|
| Examiner | Date Considered |
| *Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |



INFORMATION DISCLOSURE CITATION

| | | | |
|------------------|-------------------------|------------|------------|
| Atty. Docket No. | 09367.0018-06000 | Appln. No. | 09/724,778 |
| Applicants | Jeffrey T. FINER et al. | | |
| Filing Date | November 28, 2000 | Group: | 1624 |

| Examiner Initial* | OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages etc.) | |
|-------------------|---|--|
| 27. | | Sauter et al., CAPLUS Abstract No. 87:84931 (1977). |
| 28. | | Uchida et al., CAPLUS Abstract No. 81:152142 (1974). |
| 29. | | Yamada et al., CAPLUS Abstract No. 134:252363 (2001). |
| 30. | | Matsuoka et al., CAPLUS Abstract No. 133:150920 (2000). |
| 31. | | Nugent et al., CAPLUS Abstract No. 123:143921 (1995). |
| 32. | | De Melo et al., CAPLUS Abstract No. 117:143023 (1992). |
| 33. | | Irikura et al., CAPLUS Abstract No. 105:42834 (1986). |
| 34. | | Kyorin Pharmaceutical Co., Ltd., CAPLUS Abstract No. 103:87901 (1985). |
| 35. | | Shuto et al., CAPLUS Abstract No. 90:72134 (1979). |
| 36. | | Katagiri et al., CAPLUS Abstract No. 100:51536 (1984). |
| 37. | | Hegrand et al., CAPLUS Abstract No. 80:95873 (1974). |
| 38. | | Witkop et al., CAPLUS Abstract No. 75:77191 (1971). |
| 39. | | Office Action mailed June 24, 2005, for U.S. Application No. 10/773,602, filed February 6, 2004. |
| 40. | | Office Action mailed July 6, 2005, for U.S. Application No. 10/982,195, filed November 5, 2004. |
| 41. | | Gavezzotti "Are Crystal Structures Predictable" <i>Acc. Chem. Res.</i> 27:309-314 (1994) |
| 42. | | Wolff (ed.) <u>Burger's Medicinal Chemistry and Drug Discovery</u> , 5 th Edition Volume 1: Principles and Practice, John Wiley & Sons, New York, pp. 975-977 (1995) |
| 43. | | Banker et al. (eds.) <u>Modern Pharmaceuticals Third Edition, Revised and Expanded</u> , Marcel Dekker, Inc., New York, pp. 451 & 596 (1996) |
| 44. | | Coleman et al. "Inhibitors of the mitotic kinesin spindle protein" <i>Expert Opin. Ther. Patents</i> 14(12): 1659-1667 (2004) |
| 45. | | Li et al. "Discovery and development of antimitotic agents that inhibit tubulin polymerisation for the treatment of cancer" <i>Expert Opin. Ther. Patents</i> 12(11): 1663-1702 (2002) |
| 46. | | Malik et al., "Compositions, Devices and Methods for Treating Cardiovascular Disease," U.S. Patent Application No. 11/147,406, filed June 7, 2005. |
| 47. | | International Search Report and Written Opinion mailed October 21, 2005, for PCT Application No. PCT/US05/19791, filed June 7, 2005. |

| | |
|---|-----------------|
| Examiner | Date Considered |
| *Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |



INFORMATION DISCLOSURE CITATION

OMB No. 0651-0011

| | |
|------------------------------------|-----------------------|
| Atty. Docket No. 09367.0018-06000 | Appln. No. 09/724,778 |
| Applicants Jeffrey T. FINER et al. | |
| Filing Date November 28, 2000 | Group: 1624 |

| Examiner Initial* | OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages etc.) | |
|-------------------|---|---|
| 48. | | Franco et al., "Functional association of retinoic acid and <i>hedgehog</i> signaling in <i>Xenopus</i> primary neurogenesis," <i>Development</i> , 126: 4257-4265 (1999) |
| 49. | | Gaffield et al., "A Looking Glass Perspective: Thalidomide and Cyclopamine," <i>Cellular and Molecular Biology</i> , 45(5): 579-588 (1999) |
| 50. | | Ghorab, "Synthesis of Some New Thiadiazole, Seleno, Triazine, Thiazole and Cyanopyridine Derivatives with Assay for Their Antitumor Activity," <i>Phosphorus, Sulfur, and Silicon</i> , 112: 7-17 (1996) |
| 51. | | Gailani et al., "The role of the human homologue of <i>Drosophila patched</i> in sporadic basal cell carcinomas," <i>Nature Genetics</i> , 14: 78-81 (1996) |
| 52. | | Ghorab et al., "Synthesis and effect of some new [1,2,4]triazolo[4,3-a]quinazolin-5(4 <i>H</i>)-ones and related compounds on Ehrlich Ascites Carcinoma cells," <i>Acta Pharm.</i> , 49: 1-10 (1999) |
| 53. | | Jiang et al., "Synthesis and Biological Evaluation of 2-Styrylquinazolin-4(3 <i>H</i>)-ones, a New Class of Antimitotic Anticancer Agents Which Inhibit Tubulin Polymerization," <i>J. Med. Chem.</i> , 33: 1721-1728 (1990) |
| 54. | | Smith et al., "Effects of Gastrin, Proglumide, and Somatostatin on Growth of Human Colon Cancer," <i>Gastroenterology</i> , 95: 1541-1548 (1988) |
| 55. | | "Signal Transduction," from the <u>Dictionary of Biology</u> , Penguin Books, Ninth Edition reprinted with minor revisions, pp. 574-575 (1995) |
| 56. | | "Hyper-," from <u>The British Medical Dictionary</u> , Caxton, p. 706 (circa 1961) |
| 57. | | "Inhibit," from <u>The British Medical Dictionary</u> , Caxton, p. 747 (circa 1961) |
| 58. | | Ghosh, "Quinazolines. Part I.," <i>J. Indian Chemical Society</i> , XIV: 411-413 (1937) |
| 59. | | "Cytokinetics Provides Clinical Trials Update for Ispinesib (SB-715992)," Press release from Cytokinetics, Inc., South San Francisco, CA, September 27, 2005 (4 pages) |

| | |
|---|-----------------|
| Examiner | Date Considered |
| *Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |